#### BEFORE

# THE PUBLIC SERVICE COMMISSION OF

#### **SOUTH CAROLINA**

#### **DOCKET NO. 2008-142-WS**

IN RE:	Application of Goat Island Water and Sewer Company, Incorporated for an Increase in its Rates and Charges for the Provision of Water and Sewer Services and Approval of	) RENEWED MOTION TO ) DISMISS )	Ο
	Management Agreement	,	

The South Carolina Office of Regulatory Staff ("ORS") hereby Motions the Public Service Commission of South Carolina ("Commission") to Dismiss the Application in the above captioned matter without prejudice based on the following:

- On April 8, 2008 ORS filed with the Commission a letter in opposition to the Application in this matter and requested that the Commission deny the Applicant Goat Island Water and Sewer Company's ("Goat Island") Motion to Waive Contemporaneous Filing and asked the Commission to Dismiss the Application in this case.
- 2. By its order No. 2009-294 in this docket, the Commission denied Goat Island's Motion to Waive the requirement for contemporaneous filing of the required supporting financial documentation and granted ORS' Motion to Dismiss the Application without prejudice. The order to dismiss was, however, suspended through April 23, 2008 allowing Goat Island additional time to file the required supporting financial documentation.

- 3. Goat Island filed additional financial documents purporting to support the Application in this docket, on April 23, 2008, Upon examination of the additional financial documentation, ORS determined that the Company had still not supported the expenditures presented in its Application. On numerous occasions over the next two months, ORS requested additional data, information and documentation from the Applicant. ORS extended deadlines, executed a joint Memorandum of Understanding with the Applicant and agreed to an extension of the testimony filing dates. Ultimately, however, Applicant was unable to provide accounting data, ledgers, or supporting documentation which tied to the numbers contained in Goat Island's Application.
- 4. ORS has been unable to perform an audit of the Application in this matter and no longer has sufficient time so that even if Applicant were to now produce ledgers, supporting receipts and documentation which supported the numbers in the Application, ORS would be unable to perform an audit, prepare a report and prepare testimony in the time remaining in this case.
- 5. On the basis of the aforesaid, ORS will be unable to prepare a report or testimony from any member of the audit department either in support or opposition to the application in this matter as ORS is unable to verify expenses or establish an operating margin.
- 6. Should the Commission determine that it is in the best interests of the public and/or the parties to proceed with a hearing and determination on the merits in this case, ORS hereby notifies the Commission that it will be unable to offer any reports or opinions with regards to the books, general ledger, expenses, or current or proposed operating margins of the Applicant.

Wherefore, ORS moves that the Application in this case be Dismissed without prejudice to allow the Applicant to refile for rate relief/adjustment whenever adequate supporting financial documentation can be prepared.

Jeffrey M. Nelson, Esquire OFFICE OF REGULATORY STAFF

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July 10, 2008 Columbia, South Carolina

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### **OF SOUTH CAROLINA**

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CERTIFICATE OF
SERVICE

This is to certify that I, Chrystal L. Morgan, have this date served one (1) copy of the **RENEWED MOTION TO DISMISS** in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown below:

Richard L. Whitt, Esquire Austin & Rogers, P.A. Post Office Box 11716 Columbia, SC, 29201

Chrystal L. Morgan
Chrystal L. Morgan

July 10, 2008 Columbia, South Carolina